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FILED IN THE U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NOV 09 2021

SEAN F. MCAVOY, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON

9 UNITED STATES OF AMERICA,

11 Plaintiff,

13 v.

15 DAVID ELMO CURRY,

17 Defendant.

1:21-CR-2053-SAB  
INDICTMENT

Vio: 18 U.S.C. § 2422(b):  
Attempted Enticement of a Minor  
(Counts 1-2)

18 U.S.C. § 2428  
Forfeiture Allegations

19 The Grand Jury charges:

21 COUNT 1

22 On about November 16, 2019 within the Eastern District of Washington, the  
23 Defendant, DAVID ELMO CURRY, did unlawfully and knowingly use any facility  
24 and means of interstate and foreign commerce, to wit the internet, a cellular phone and  
25 a car, to attempt to persuade, induce, entice and coerce any individual who had not  
26 attained the age of 18 years to engage in any sexual activity for which any person  
27  
28

INDICTMENT - 1

1 could be charged with an offense, including Revised Code of Washington 9A.44.076,  
2 rape of a child in the second degree, and attempt to do so, in violation of 18 U.S.C. §  
3 2422(b).  
4

## 5 COUNT 2

6 On or between about December 12, 2019 and February 4, 2020, within the  
7 Eastern District of Washington, the Defendant, DAVID ELMO CURRY, did  
8 unlawfully and knowingly use any facility and means of interstate and foreign  
9 commerce, to wit the internet and a cellular phone, to attempt to persuade, induce,  
10 entice and coerce any individual who had not attained the age of 18 years to engage in  
11 any sexual activity for which any person could be charged with an offense, including  
12 Revised Code of Washington 9A.44.076, rape of a child in the second degree, and  
13 attempt to do so, in violation of 18 U.S.C. § 2422(b).  
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## 17 NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

18 The allegations contained in this Indictment are hereby realleged and  
19 incorporated by reference for the purpose of alleging forfeitures.  
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21 Pursuant to 18 U.S.C. § 2428, upon conviction of an offense in violation of 18  
22 U.S.C. § 2422, as alleged in this Indictment, the Defendant, DAVID ELMO CURRY,  
23 shall forfeit to the United States of America any property, real or personal, that was  
24 used or intended to be used to commit or to facilitate the commission of the offense  
25 and any property, real or personal, constituting or derived from any proceeds obtained,  
26 directly or indirectly, as a result of the offense.  
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1 If any of the property described above, as a result of any act or omission  
2 of the Defendant:

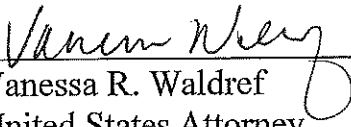
- 3 a. cannot be located upon the exercise of due diligence;  
4 b. has been transferred or sold to, or deposited with, a third party;  
5 c. has been placed beyond the jurisdiction of the court;  
6 d. has been substantially diminished in value; or  
7 e. has been commingled with other property which cannot be divided  
8 without difficulty,

9 the United States of America shall be entitled to forfeiture of substitute property  
10 pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).  
11

12 This 9<sup>th</sup> day of November, 2021.  
13

14 A TRUE BILL

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18 Vanessa R. Waldref  
19 United States Attorney

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21 Michael D. Murphy  
22 Assistant United States Attorney  
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